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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

11 DARLENE ROWLEY,

12 Plaintiff,

13 vs.

14 EQUIFAX, INC.; et. al.,

15 Defendants.

Case No.: 5:15-CV-04334-RMW

**STIPULATED REQUEST FOR
DISMISSAL OF DEFENDANT
CAPITAL ONE BANK (USA), N.A.,
ERRONEOUSLY SUED AS
CAPITAL ONE, NATIONAL
ASSOCIATION; [PROPOSED]
ORDER**

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1 **TO THE COURT, CLERK OF COURT, AND ALL PARTIES:**

2 IT IS HEREBY STIPULATED by and between plaintiff Darlene Rowley and
3 defendant Capital One Bank (USA), N.A. (“Capital One”), erroneously sued as
4 Capital One, National Association, that Capital One be dismissed from this action
5 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2), and that each
6 party shall bear its own attorneys’ fees and costs.

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8 DATED: April 27, 2016 Sagaria Law, P.C.

9 By: /s/ Elliot W. Gale
10 Elliot W. Gale
11 Attorneys for Plaintiff
12 Darlene Rowley

13 DATED: April 27, 2016 Doll Amir & Eley LLP

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15 By: /s/ Chelsea L. Diaz
16 Attorneys for Defendant
17 Capital One Bank (USA), N.A.

18 I, Elliot Gale, am the ECF user whose identification and password are being used to
19 file this Stipulation. I hereby attest that Chelsea Diaz has concurred in this filing.

20 /s/ Elliot Gale

21 **[PROPOSED] ORDER**

22 Pursuant to the stipulation of the Parties, Capital One is dismissed with
23 prejudice.

24 IT IS SO ORDERED.

25
26 DATED: _____

27 RONALD M. WHYTE
28 UNITED STATES DISTRICT JUDGE